

PUBLIC WORKS COMMITTEE

DATE: December 10, 2009

CALLED TO ORDER: 5:33 pm

ADJOURNED: 6:35 p.m.

ATTENDANCE

ATTENDING MEMBERS

Benjamin Hunter, Chairman
Ginny Cain
Brian Mahern
Dane Mahern
Angela Mansfield
Janice McHenry
Mary Moriarty Adams
Christine Scales
Mike Speedy

ABSENT MEMBERS

AGENDA

PROPOSAL NO. 132, 2009 - amends the Code to add a new Article VI in Chapter 261 establishing a Green Fleet Policy
"Postponed" until January 21, 2010

Vote: 9-0

PROPOSAL NO. 214, 2009 - approves the purchase of certain land owned by Donro, Inc. by the Department of Public Works for construction of a stormwater improvements project
"Postponed" until January 21, 2010

Vote: 9-0

PROPOSAL NO. 243, 2009 - approves and authorizes execution of an agreement between the City of Indianapolis and Hamilton County, Indiana, for the exercise of eminent domain authority and the construction of highway and drainage improvements in Marion and Hamilton Counties
"Postponed" until January 21, 2010

Vote: 9-0

PROPOSAL NO. 452, 2009 - reappoints Leon E. Bates to the Marion County Stormwater Management Technical Advisory Committee
"Do Pass"

Vote: 9-0

PROPOSAL NO. 453, 2009 - reappoints Kenneth W. Hughes to the Board of Public Works
"Do Pass" Vote: 9-0

PROPOSAL NO. 454, 2009 - reappoints Robert Parrin to the Board of Public Works
"Do Pass" Vote: 9-0

PROPOSAL NO. 455, 2009 - reappoints Dennis Rosebrough to the Board of Public Works
"Do Pass" Vote: 9-0

PUBLIC WORKS COMMITTEE

The Public Works Committee of the City-County Council met on Thursday, December 10, 2009. Chair Benjamin Hunter called the meeting to order at 5:35 p.m. with the following members present: Ginny Cain, Brian Mahern, Dane Mahern, Angela Mansfield, Janice McHenry, Mary Moriarty Adams, Christine Scales, and Mike Speedy. Councillor Jose Evans was also in attendance.

PROPOSAL NO. 132, 2009 - amends the Code to add a new Article VI in Chapter 261 establishing a Green Fleet Policy

Chairman Hunter stated that he is waiting on more information for this proposal, and he would like to postpone it to the January 21, 2010 meeting.

Councillor Speedy moved, seconded by Councillor Moriarty-Adams, to "Postpone" Proposal No. 132, 2009 until January 21, 2010. The motion carried by a vote of 9-0.

PROPOSAL NO. 214, 2009 - approves the purchase of certain land owned by Donro, Inc. by the Department of Public Works for construction of a stormwater improvements project

Chairman Hunter stated that DPW is working on issues pertaining to this proposal, so he asked to postpone to the January 21, 2010 meeting.

Councillor Speedy moved, seconded by Councillor B. Mahern, to "Postpone" Proposal No. 214, 2009 until January 21, 2010. The motion was carried by a vote of 9-0.

Chairman Hunter asked for to consent to readjust the agenda and do the reappointments all together. Consent was given.

PROPOSAL NO. 452, 2009 - reappoints Leon E. Bates to the Marion County Stormwater Management Technical Advisory Committee

PROPOSAL NO. 453, 2009 - reappoints Kenneth W. Hughes to the Board of Public Works

PROPOSAL NO. 454, 2009 - reappoints Robert Parrin to the Board of Public Works

PROPOSAL NO. 455, 2009 - reappoints Dennis Rosebrough to the Board of Public Works

Councillor D. Mahern asked if any of the appointees were in attendance. Chairman Hunter answered in the negative.

Chairman Hunter referred to the attendance sheets for the appointees and asked if there were any objections or discussions about the reappointments. There were none.

Councillor B. Mahern moved, seconded by Councillor Speedy, to send Proposal Nos. 452 – 455, 2009 to the full Council with a “Do Pass” recommendation. The motion carried a vote of 9-0.

PROPOSAL NO. 243, 2009 - approves and authorizes execution of an agreement between the City of Indianapolis and Hamilton County, Indiana, for the exercise of eminent domain authority and the construction of highway and drainage improvements in Marion and Hamilton Counties

Jeff Roeder, Department of Public Works (DPW), stated that the northern and eastern borders are not the city's responsibility. For example 96th Street is under the control of Hamilton County. There is need for intersection improvements at the location of Township Line Road and 96th street, and this proposal authorizes Hamilton County to use eminent domain to make the necessary improvements to that intersection. He said this is similar to what was done last year the city gave Hamilton County to make a land acquisition that was necessary to improve the intersection. Mr. Roeder asked a representative from Hamilton County to come forward to give a presentation. Chairman Hunter asked if it is by State Statue or inter-local agreement that the northern and eastern boundaries are under Hamilton County's control. Larry Jones, DPW Engineering, stated that it is State Statue that every county is responsible for their south and east boundaries.

Brad Davis, Hamilton County Highway Department, introduced Jim Neal, Hamilton County Highway Department, and Jim Johnson, Beam Longest & Neff Consulting Firm.

Mr. Davis stated that it is their intent to try and improve the intersection at 96th street and Township Line Road. The current four-way stop is not really adequate anymore for the traffic volume area on both the Hamilton and Marion County sides. There have been discussions with people in the area about the proposal and the impacts it will have on them, and their current proposal is to construct a roundabout intersection at that location. Mr. Davis distributed handouts (attached as Exhibits A and B). Mr. Davis stated that they have shifted the roundabout as far east as they can, so as not to impact the residents on the north side or south side of 96th Street. On the east side of the intersections Exhibit A shows how close the blue lines come to the houses. He said they have tried to avoid buying out properties and relocating people by keeping it within that constraint. He said they have shifted it as far north as they thought they could. The main constraint is a sanitary lift station that would be extremely costly to relocate and redo all the sanitary lines that go into the lift station. Mr. Davis said

that they have tried to shoehorn the design and minimize the impacts on everyone. He said they met with the condominium folks and their concern was how close this was going to be to them and how it would impact them. Unfortunately their buildings are very close to the road. In order to minimize their impact, Hamilton County is proposing to construct a retaining wall, which will allow them to not use as much of their space. It will allow the space to remain a greenspace and minimize the amount of trees that would have to come down in the corner. The right-of-way impacts are estimated at less than 2/10ths of an acre or about 1,800s of an acre. The condominium folks would be fully compensated for any right-of-ways Hamilton County would have to purchase from them, but would not impact their parking areas.

Mr. Davis said they have tried to do what they could to minimize the impacts. He said the option of a traditional roundabout was also discussed (as shown exhibit b). The impacts for that type of intersection was significantly more, it was about two and a half times the impact and about less than half an acre of right-of-way would be needed to do that. He said they would still have the restraints on the north, taking it right up to the lift station. Any further north, besides the cost of relocating the lift station, would probably get into the church parking, their trees and retention areas that are in the corner and the need to fully enclose the legal drain that runs thru the project. He said currently, total right-of-way impacts for the project are about 2 acres for Hamilton County and about .84 acres for Marion County. Even with this current design, they are taking a lot more on the Hamilton County side than the Marion County side.

Chairman Hunter stated that a lot of the Councilors have received emails and are looking at this with perspective to the concerns that the residents and the district councillor have between the overlays on the traditional intersection and the roundabout. One of the issues would be solved with the roundabout if Mr. Davis team could create an accel/decel lane coming out of the condos with the traditional intersection. He asked if that is something that Hamilton County is willing to do to assist the residents.

Mr. Jones referred to Exhibit B, and stated that currently the red that extends along the west side is encompassing, and would include walks along the conventional intersection rather than a travel lane. He said the travel lanes south of the condominium drive are roughly the same for both a roundabout leg and conventional lane, so a lane on either alternative would likely be a comparable impact. He said they would have to look at how things work with the side slopes since they are going over the interstate. Chairman Hunter asked if they are willing to look at that as an additional compromise to the neighborhood. Mr. Davis answered in the affirmative.

Councillor Scales stated that her concern is if they pass this proposal and give Hamilton County the right to exercise eminent domain, then the Marion County residents lose any protection in the process. She said she feels it gives Hamilton County the authority to do the intersection however way they want to and she tends to oppose to eminent domain as a policy. Mr. Davis stated that they do not like to use eminent domain, but they feel that this is a necessary step in order to move forward. Councillor Scales stated that there seems to be a lot of opposition on the Marion County side and their willingness to give up their land. She said it seems that eminent domain would be all that is available to you Hamilton county at this point. Chairman Hunter stated that this does not give up the resident's protection, because they have other avenues in terms of court, if necessary. Councillor Mansfield stated that this is not open-ended as the resolution is very specific to what area it covers. She stated that her district is affected by this proposal, because it is currently a four-way stop that gets backed up during rush hour traffic. She said people who live in Golden Oaks cannot even get out of their divisions. Based on her conversation with constituents, something needs to be done in this area. She said there are some condominiums that were built too close to the intersection, the lift station and a waterway. Because of these things she has had some concerns about the impact to Marion County residents. Councillor Mansfield stated that one of her constituents pointed out that there are a lot of elderly people in Golden Oaks and worries that this improvement will create more of a traffic flow and make it even more difficult to get out. She said she was hoping that it could be pushed further north, but stated that she is more concerned about her constituents to the south than she is about the increase of cost. She would like to see some sort of traffic control where it creates pauses in the flow so that people who live in her district can get out onto Township Line Road without risking life and limb. She said she also understands the downside to this is that traditional intersections take more land. She said she is hopeful that Hamilton County will at least look to find out what it would take to move the lift station and affect that area more and some adjustments can be made where it will not affect the homeowners as much.

Councillor Speedy asked if the proposed intersection is going to be at the same grade that the roadway is today. Mr. Jones stated that the roundabout will be very close to the existing elevations. They have not done refined grades on the traditional but they try to stay close to the existing. Councillor Speedy stated, with the concern of a car leaving the road and striking a dwelling if there is an opportunity to put up some form of barrier. Mr. Jones stated that there is about a 14 ft. recovery zone beyond the curb so which is larger than the normal. Councillor Speedy stated that he is not sure that this provides comfort. Mr. Jones stated that they would be willing to look at that. Councillor Speedy asked what the process is once this is approved and if there are other opportunities to sit down with neighbors or have public hearings. Mr. Davis answered that there is not a formal meeting planned, but a public meeting can be requested. Councillor Speedy asked if other offers have been made regarding barriers. Mr.

Davis stated that there has not been discussions before tonight, but he does not see any problems in trying to incorporate some kind of barrier.

Councillor McHenry stated that she drove to the area today and noticed that there is only one way in and out of the subdivision. She stated that it would be more difficult to get in and out, because roundabout traffic does not stop it just slows down. She stated that she is also concerned about the safety of school children getting on and off school buses. She stated that she feels with the traditional stoplight some of the concern could be alleviated. Councillor B. Mahern asked if they have quantified what the expense would be in relocated the lift station. Mr. Davis stated that they have not.

Councillor Evans stated that Councillors Mansfield and McHenry addressed his concerns. He stated that there are public here to comment.

Susan Blair, Pike Township Resident Association stated that they voted unanimously to oppose the development and feel that the conventional intersection would be less intrusive.

Ginger Cubel, Former President of Association of North Willow Woods said she is concerned for the safety of the school children and loss of value and beauty of the community. She feels that the stop and go of the traditional stoplight will give them the break that they need to get in and out of their complex.

Ellen Dolinar ,Senior Manager Republic Airways, stated that she has a hard time getting out of the complex as it is, and feels that the roundabout will cause a constant flow of traffic and make it even more difficult to get out. She stated that she feels that she wishes that Hamilton County would have assessed the value of moving the lift station.

Ed Hine, President, North Willow Woods Home Owners Association,. echoed the concerns of the property values and safety of the buildings from vehicles.

Jane Howard, secretary, board of Directors of North Point Bay, said that she feels that they will be extremely affected by this project. She stated that it concerns her that residents who have invested in their condominiums are less important than taking up empty parking lots and empty space.

Jeanette Lynn, Treasurer North Willow Woods Association, stated that residents are also concerned about the greenery aspect of the community, that the big trees added to the splendor of their complex. She stated that they are called North Willow Woods for a reason and she feels that their greenery is a reason that lots of residents have purchased their properties.

Councillor Mansfield asked Hamilton County if they look at maybe shifting more to north. She stated that she is more comfortable with the traditional intersection. Councillor Hunter stated that the consensus is that some kind of improvement needs to occur and that Hamilton County may need to work with the neighborhoods a little closer to find some kind of consensus.

Councillor D. Mahern asked the committee how important some project going forward would be and if working with the neighborhood there could be something done in the future.

Councillor Mansfield said she feels that there is definitely need for some sort of improvement.

Councillor Speedy asked if there is a way to slow down the speed approaching a round about. Mr. Jones stated that it has been looked at.

Councillor Mansfield moved, to Postpone Proposal No. 243, 2009 until January 21, 2010, seconded by Councillor Moriarty Adams.

With no further business pending, and upon motion duly made, the Public Works Committee of the City-County Council was adjourned at 6:35 p.m.

Respectfully submitted,

Benjamin Hunter, Chair
Public Works Committee

BH/kln